

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Jim Shockley, on March 27, 2009 at 3:00 P.M., in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Jim Shockley, Chairman (R)
Sen. John Brueggeman, Vice Chairman (R)
Sen. Joe Balyeat (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. Larry Jent (D)
Sen. Carolyn Squires (D)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Keith Bales (R)
Sen. Jerry W. Black (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Dave Bohyer, Legislative Branch
Libby Goodwin, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 659, 3/26/2009; SJ 30, 3/24/2009
Executive Action: SJ 30, HB 659, HB 34, HB 109, HB 602, HB 59, HB 315

HEARING ON SJ 30

Opening Statement by Sponsor:

00:00:26 Sen. Ryan Zinke (R), SD 2, opened the hearing on SJ 30,
Study work comp rates.

Proponents' Testimony:

00:03:49 John Bennion, Montana Chamber of Commerce
00:05:11 Rick Hill, Montana Building Industry Association
00:06:22 Riley Johnson, Independent Business Association
00:07:13 Nancy Butler, Montana State Fund
00:07:31 Bruce Spencer, Property Casualty Insurers Association;
and on behalf of Jacqueline Lenmark, American Insurance
Association
00:07:51 Carl Kochman, self

00:08:51 Sen. Balyeat left the meeting.

Opponents' Testimony:

00:09:03 None

Informational Testimony:

00:09:07 Jerry Keck, Department of Labor and Industry (DOLI)
[EXHIBIT\(sts68a01\)](#)
[EXHIBIT\(sts68a02\)](#)

Questions from Committee Members and Responses:

00:11:56 Sen. Squires
00:12:43 Mr. Keck, DOLI
00:13:24 Sen. Squires
00:13:57 Mr. Keck, DOLI
00:14:50 Sen. Jent
00:15:24 Sen. Zinke
00:16:56 Sen. Brenden
00:17:18 Sen. Zinke
00:19:15 Chairman Shockley
00:19:23 Sen. Zinke
00:20:48 Sen. Tropila
00:20:53 Sen. Zinke
00:21:25 Sen. Tropila
00:21:36 Sen. Zinke
00:22:32 Sen. Tropila
00:22:40 Sen. Zinke
00:23:13 Sen. Tropila

00:23:18 Sen. Squires

00:23:55 Sen. Jent left the meeting.

Closing by Sponsor:

00:25:03 Sen. Zinke

HEARING ON HB 659

Opening Statement by Sponsor:

00:26:20 Rep. Don Roberts (R), HD 56, opened the hearing on HB 659, Require examination, recommendations for public pension benefit and plan changes.

Proponents' Testimony:

00:27:15 Roxanne Minnehan, Montana Public Employee Retirement Administration (MPERA), and Montana Public Employees Retirement Board

00:28:54 David Senn, Teachers Retirement System

00:31:51 Tom Bilodeau, Montana Education Association/Montana Federation of Teachers (MEA/MFT)

00:33:47 Sen. Bales entered the meeting.

00:34:07 Tom Schneider, Montana Public Employees Association

Opponents' Testimony:

00:36:56 None

Informational Testimony:

00:37:00 None

Questions from Committee Members and Responses:

00:37:03 Sen. Cooney

00:37:31 Rep. Roberts

00:40:36 Sen. Tropila

00:40:59 Ms. Minnehan, MPERA

00:41:14 Sen. Tropila

00:41:18 Ms. Minnehan, MPERA

00:41:47 Sen. Tropila

00:41:54 Ms. Minnehan, MPERA

00:42:04 Sen. Tropila

00:42:15 Ms. Minnehan, MPERA

00:42:23 Sen. Jent entered the meeting.

00:42:47 Sen. Tropila

00:42:55 Ms. Minnehan, MPERA

00:43:24 Sen. Tropila

00:43:31 Ms. Minnehan, MPERA

00:43:38 Sen. Tropila

00:43:49 Sen. Squires

00:44:15 Chairman Shockley

00:44:33 Sen. Bales

00:45:28 Rep. Roberts

00:46:07 Sen. Bales

00:46:13 Chairman Shockley

00:46:23 Rep. Roberts

00:46:51 Sen. Brueggeman left the meeting.

00:47:10 Chairman Shockley

00:47:36 Sen. Bales

00:49:19 Rep. Roberts

00:49:54 Sen. Balyeat entered the meeting.

00:50:20 Sen. Bales

00:50:40 Mr. Bohyer

00:52:09 Sen. Bales

00:52:25 Mr. Bohyer

00:53:18 Sen. Bales

00:53:41 Sen. Cooney

00:53:45 Sen. Bales left the meeting.

00:54:20 Mr. Bohyer

00:54:59 Sen. Cooney

Closing by Sponsor:

00:56:20 Rep. Roberts

EXECUTIVE ACTION ON SJ 30

00:57:20 **Motion/Vote:** Sen. Brueggeman moved that **SR 30 DO PASS.** Motion carried unanimously by voice vote. Sen. Bales, Sen. Black, and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 659

00:58:04 **Motion/Vote:** Sen. Squires moved that **HB 659 BE CONCURRED IN**. Motion carried 10-1 by voice vote with Sen. Brenden voting no. Sen. Bales, Sen. Black, and Sen. Windy Boy voted by proxy. Sen. Brueggeman will carry the bill.

EXECUTIVE ACTION ON HB 34

00:59:36 **Motion:** Sen. Cooney moved that **HB 34 BE CONCURRED IN**.

Discussion:

00:59:58 Sen. Squires

01:00:46 **Motion:** Sen. Cooney moved that **HB 34 BE AMENDED**.
EXHIBIT(sts68a03)

01:00:57 Sen. Cooney
01:01:12 Mr. Bohyer
01:01:58 Sen. Tropila
01:02:17 Sen. Cooney

01:02:21 **Vote:** Motion carried unanimously by voice vote. Sen. Bales, Sen. Black, and Sen. Windy Boy voted by proxy.

01:02:44 **Motion/Vote:** Sen. Cooney moved that **HB 34 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Bales, Sen. Black and Sen. Windy Boy voted by proxy. Sen. Jent will carry the bill.

01:04:21 Sen. Windy Boy entered the meeting.

EXECUTIVE ACTION ON HB 109

01:04:42 **Motion:** Sen. Brenden moved that **HB 109 BE CONCURRED IN**.

01:04:52 **Motion:** Sen. Balyeat moved that **HB 109 BE AMENDED**.
EXHIBIT(sts68a04)
EXHIBIT(sts68a05)

01:09:06 Sen. Black entered the meeting.

01:09:35 Sen. Jent
01:10:30 Sen. Balyeat

01:11:52 Chairman Shockley
 01:13:34 Sen. Squires
 01:14:50 Chairman Shockley
 01:15:27 Sen. Balyeat
 01:17:27 Sen. Jent
 01:18:54 Sen. Balyeat
 01:19:03 Chairman Shockley
 01:19:13 Sen. Windy Boy
 01:19:22 Sen. Balyeat
 01:20:51 Sen. Jent
 01:22:07 Sen. Tropila
 01:22:22 Mr. Senn, Teachers Retirement System
 01:22:59 Sen. Balyeat
 01:23:20 Mr. Senn, Teachers Retirement System
 01:23:58 Kim Flatow, MPERA
 01:24:18 Ms. Minnehan, MPERA
 01:24:35 Sen. Balyeat
 01:25:27 Ms. Minnehan, MPERA
 01:26:43 Sen. Windy Boy
 01:27:00 Chairman Shockley
 01:27:31 Sen. Windy Boy
 01:27:43 Chairman Shockley
 01:27:55 Sen. Brenden
 01:28:08 Mr. Bohyer
 01:28:34 Sen. Squires
 01:28:51 Mr. Bohyer
 01:29:41 Sen. Balyeat
 01:31:26 Sen. Brueggeman
 01:31:56 Chairman Shockley
 01:32:03 Sen. Brueggeman
 01:33:11 Sen. Balyeat
 01:34:41 Chairman Shockley

 01:35:32 **Vote:** Motion carried 6-5 by roll call vote with Sen. Cooney, Sen. Jent, Sen. Squires, Sen. Tropila, and Sen. Windy Boy voting no. Sen. Bales voted by proxy.

 01:36:17 **Motion:** Sen. Balyeat moved that **HB 109 BE CONCURRED IN AS AMENDED.**

 01:36:24 **Motion:** Sen. Cooney moved that **HB 109 NOT BE CONCURRED IN AS AMENDED.**

 01:36:42 Sen. Balyeat

 01:37:15 **Vote:** Motion carried 6-5 by roll call vote with Sen. Bales, Sen. Balyeat, Sen. Black, Sen. Brenden, and Sen. Shockley voting no. Sen. Bales voted by proxy.

EXECUTIVE ACTION ON HB 602

01:39:18 **Motion:** Sen. Cooney moved that **HB 602 BE CONCURRED IN.**

Discussion:

01:39:23 **Motion:** Sen. Brueggeman moved that **HB 602 BE AMENDED.**
EXHIBIT(sts68a06)

01:41:49 Sen. Brenden
01:41:55 Sen. Tropila
01:42:07 Sen. Brueggeman
01:42:52 Sen. Balyeat
01:43:50 Chairman Shockley

01:46:26 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bales, Sen. Balyeat, Sen. Black, and Sen. Shockley voting no. Sen. Bales voted by proxy.

01:47:17 **Motion:** Sen. Cooney moved that **HB 602 BE CONCURRED IN AS AMENDED.**

01:47:27 recess

01:47:27 Sen. Brenden left the meeting.

02:00:36 reconvene

02:00:39 **Motion:** Sen. Shockley moved that **HB 602 BE AMENDED.**
EXHIBIT(sts68a07)

02:00:42 Chairman Shockley
02:03:16 Sen. Black
02:03:26 Chairman Shockley

02:03:46 **Vote:** Motion carried unanimously by voice vote. Sen. Bales and Sen. Brenden voted by proxy.

02:04:09 **Motion:** Sen. Shockley moved that **HB 602 BE CONCURRED IN AS AMENDED.**

02:04:14 Sen. Balyeat
02:04:35 Mr. Bohyer
02:04:50 Sen. Balyeat
02:05:25 Chairman Shockley

02:06:22 **Substitute Motion/Vote:** Sen. Jent moved that **HB 602 BE TABLED**. Motion failed 4-5 by roll call vote with Sen. Cooney, Sen. Jent, Sen. Squires, and Sen. Tropila voting aye. Sen. Bales and Sen. Brenden were excused.

02:08:26 Sen. Balyeat

02:09:42 Sen. Cooney

02:09:46 Chairman Shockley

02:10:04 **Vote:** Motion carried 6-5 by roll call vote with Sen. Cooney, Sen. Jent, Sen. Squires, Sen. Tropila, and Sen. Windy Boy voting no. Sen. Bales and Sen. Brenden voted by proxy. Sen. Shockley will carry the bill.

EXECUTIVE ACTION ON HB 59

02:11:24 **Motion:** Sen. Brueggeman moved that **HB 59 BE CONCURRED IN**.

Discussion:

02:11:49 Chairman Shockley

02:12:08 **Vote:** Motion carried unanimously by voice vote. Sen. Bales and Sen. Brenden voted by proxy. Sen. Cooney will carry the bill.

EXECUTION ACTION ON HB 315

02:13:05 **Motion:** Sen. Brueggeman moved that **HB 315 BE CONCURRED IN**.

Discussion:

02:13:20 Chairman Shockley

02:13:46 Sen. Cooney

02:14:11 Sen. Balyeat

02:15:24 Sen. Cooney

02:15:49 Sen. Brueggeman

02:16:15 Chairman Shockley

02:16:41 Sen. Balyeat

02:17:28 Chairman Shockley

02:18:02 Sen. Cooney

02:18:52 Chairman Shockley

02:19:07 Sen. Cooney

02:19:10 Chairman Shockley

02:19:16 Sen. Cooney

02:19:25 Sen. Brueggeman

02:20:00 **Vote:** Motion carried unanimously by voice vote. Sen. Bales and Sen. Brenden voted by proxy. Sen. Shockley will carry the bill.

02:20:35 Sen. Cooney

ADJOURNMENT

Adjournment: 5:40 P.M.

Libby Goodwin, Secretary

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Additional Documents:

EXHIBIT ([sts68aad.pdf](#))